

AMENDMENT UNDER 37 C.F.R. § 1.111

Application No.: 10/645,625

Atty Docket No.: Q71638

**REMARKS**

The Office Action of April 18, 2005 has been received and its contents carefully considered.

Claims 1 to 10 are all the claims pending in the application.

Claims 1-10 have been rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,821,653 to Fukushima et al, or U.S. Patent 6,761,982 to Sakawaki et al, or U.S. Patent 6,808,830 to Sakawaki et al.

The present invention as set forth in claim 1 as amended above is directed to a magnetic recording medium comprising a glass substrate having grooves on the surface thereof, an orientation-determining layer, a non-magnetic undercoat layer, a magnetic layer, and a protective film, the layers and film being successively formed on the substrate, wherein the orientation-determining layer contains at least one alloy selected from the group consisting of a Co-W-based alloy, a Co-Mo-based alloy, a Fe-W-based alloy and a Fe-Mo-based alloy.

Thus, applicant has amended claim 1 to recite that the orientation-determining layer contains at least one alloy selected from the group consisting of a Co-W-based alloy, a Co-Mo-based alloy, a Fe-W-based alloy and a Fe-Mo-based alloy. In view of this amendment, applicant has canceled claim 2 and has changed the dependency of the remaining claims so that they do not depend from claim 2.

Fukushima et al, Sakawaki et al '982 and Sakawaki et al '830 do not disclose or suggest an orientation-determining layer that contains at least one alloy selected from the group

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consisting of a Co-W-based alloy, a Co-Mo-based alloy, a Fe-W-based alloy and a Fe-Mo-based alloy.,

In view of the above, applicant submits that the present claims are patentable over Fukushima et al, Sakawaki et al '982 and Sakawaki et al '830 and, accordingly, requests withdrawal of this rejection.

Claims 1, 3/1, 8/1, 9/1 and 10/1 have been rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent 6,057,021 to Ishikawa et al.

Ishikawa et al do not disclose or suggest an orientation-determining layer that contains at least one alloy selected from the group consisting of a Co-W-based alloy, a Co-Mo-based alloy, a Fe-W-based alloy and a Fe-Mo-based alloy.,

In view of the above, applicant submits that the present claims are patentable over Ishikawa et al and, accordingly, requests withdrawal of this rejection.

Claims 2, 3/2, 4/2, 8/2 and 10/2 have been rejected under 35 U.S.C. § 103(a) as obvious over Ishikawa et al in view of U.S. Patent 6,511,761 to Tanahashi et al.

As noted above, claim 2 has been canceled. All of the claims in the application depend from claim 1.

Ishikawa et al and Tanahashi et al do not disclose or suggest an orientation-determining layer that contains at least one alloy selected from the group consisting of a Co-W-based alloy, a Co-Mo-based alloy, a Fe-W-based alloy and a Fe-Mo-based alloy.,

In view of the above, applicant submits that the present claims are patentable over Ishikawa et al and Tanahashi et al and, accordingly, requests withdrawal of this rejection.

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Claim 4/1 has been rejected under 35 U.S.C. § 103(a) as obvious over Ishikawa et al.

Claim 4 depends from claim 1. Accordingly, applicant submits that claim 4 is patentable over Ishikawa et al for the same reasons as discussed above and, therefore, requests withdrawal of this rejection.

In view of the above, please let us have your comments and instructions for responding to this rejection. In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE

**23373**

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